

UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF IOWA

In re:)	
Linda J. Flowers,)	CHAPTER 13
Debtor,)	BANKRUPTCY NO. 24-00208C
)	
v.)	
)	JOINDER
Lakewood Village Condominium)	IN SUPPORT OF THE
Homeowners Association, Inc.)	MOTION TO DISMISS
Defendant.)	

COMES NOW the Lakewood Village Condominium Homeowners Association, Inc., an Iowa nonprofit (the "Association") who files this Joinder in Support of the Motion to Dismiss filed by the Chapter 13 Trustee and in support thereof states as follows:

1. The Debtor filed a Chapter 13 Plan (the "Plan") proposing monthly payments of \$1,650.00. ECF No.34.
2. The Chapter 13 Trustee moved to dismiss the instant action on account of the Debtor failing to make payments. ECF No. 66.
3. The Association retained the services of a private investigator, who obtained a copy of the Debtor's bank statement, which is attached hereto as **Exhibit A**.
4. In August 2024, the Debtor made three payments via Zelle to a certain Paul Barrett in the aggregate amount of \$4,795.99, which is over 2.5 times the Plan's monthly payment.

5. However, Paul Barrett is not described in the Plan. Accordingly, the Debtor's payments to Paul Barrett are contrary to the Plan.
6. The Debtor is demonstrably able to make payments well over the Plan's proposed monthly payment. However, the Debtor is not making any payments towards the Plan.
7. Accordingly, for the reasons above and the reasons described in the Chapter 13 Trustee's motion to dismiss, the Court should dismiss the Debtor's case with prejudice.

WHEREFORE the Association prays that the Court grant the Chapter 13 Trustee's motion to dismiss, dismiss the Debtor's case with prejudice and provide such relief as is just, necessary and proper under the circumstances.

Respectfully submitted,

AEGIS Law,

Eric J. Langston

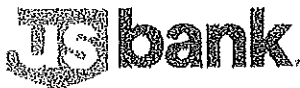
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Attorney for Defendant

Certificate of Service

I certify that I caused the foregoing to be filed with the EDMS on October 17, 2024, and mailed, as necessary to those parties not registered with EDMS, via USPS first-class, postage fully prepaid.

Eric J. Langston

EXHIBIT A



LINDA J FLOWERS
1512 1ST AVE APT 205N
CORALVILLE IA 52241-1127

Uni-Statement

Account Number
1 964 7723 299
Statement Period
Aug 13, 202
through
Sep 12, 202

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U.S. BANK SMARTLY CHECKING

(CONTINUED)

U.S. Bank National Association

Account Number 1-964-7723-299

Deposits / Credits

Date	Description of Transaction	Ref Number	Amount
Aug 21	Federal Benefit Deposit REF=242290125295440N00	From SSA TREAS 310 XXSOC SEC 9031736013 3313A S	\$ 1,641.00
Aug 26	Electronic Deposit REF=242360071407010N00	From TEXAS PETROLEUM OIL AND GA1760289681	3,100.67
Total Deposits / Credits			\$ 4,741.67

Card Withdrawals

Card Number: xxxx-xxxx-xxxx-4640

Date	Description of Transaction	Ref Number	Amount
Aug 20	Debit Purchase - VISA V*yoga-go.io_ADN Exchg Amt: \$15.19 Orig Curr: 15.19	On 081924 Limassol REF # 74987504232000003234021 Currency Type: U.S. DOLLAR	2000003234 \$ 15.19-
Aug 20	Intl Processing Fee V*yoga-go.io_ADN	On 081924 Limassol REF # 74987504232000003234 CY1	2000003234 0.45-
Aug 22	Debit Purchase - VISA HY-VEE CORALVILL	On 082124 CORALVILLE IA REF # 24137464235001317843810	5001317843 27.00-
Aug 22	Debit Purchase - VISA WAL-MART #2827	On 082124 CORALVILLE IA REF # 24226384235001650642193	5001650642 46.57-
Aug 22	Debit Purchase - VISA WM SUPERCENTER #	On 082124 CORALVILLE IA REF # 24445004235400145765610	5400145765 132.49-
Sep 9	Debit Purchase - VISA 8889101328THEKIT	On 090524 888-9101328 NY REF # 24794874250900601607472	0900601607 9.97-
Sep 9	Debit Purchase - VISA GARDENERS GEAR B	On 090524 865-2462172 NY REF # 24183104250900640301021	0900640301 39.99-
Card 4640 Withdrawals Subtotal			\$ 271.66-
Total Card Withdrawals			\$ 271.66-

Other Withdrawals

Date	Description of Transaction	Ref Number	Amount
Aug 14	Zelle Instant On 08/14/24	PMT To PAUL BARRETT PMT ID=USBEGFcmkvu	\$ 499.99
Aug 20	Iowa Tax*	2000000481	0.03-
Aug 21	Customer Withdrawal	8612826166	100.00-
Aug 21	Zelle Instant On 08/21/24	PMT To PAUL BARRETT PMT ID=USBxNotjojTw	1,186.00
Aug 26	Zelle Instant On 08/24/24	PMT To PAUL BARRETT PMT ID=USBaJmYjpadS	3,110.00
Sep 3	Electronic Withdrawal REF=242470172537860N00SD	To MEDALERT 28424283658003888257FC00768943-3	99.99-
Total Other Withdrawals			\$ 4,996.01-

* Financial institutions are required by the State of Iowa to charge sales taxes on certain service charges related to checking accounts. Any assessed tax has been itemized on your statement.

	Total for Statement Period	Total Year to Date
Total Returned Item Fees	\$ 0.00	\$ 0.00
Total Overdraft Fees	\$ 0.00	\$ 144.00
Less: Waives	\$ 0.00	\$ 36.00-
TOTAL	\$ 0.00	\$ 108.00

A "waive" occurs when an assessed fee is credited back automatically.



LINDA J FLOWERS
1512 1ST AVE APT 205N
CORALVILLE IA 52241-1127

Uni-Statement

Account Number:

1 964 7723 2991

Statement Period:

Aug 13, 2024

through

Sep 12, 2024

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U.S. BANK SMARTLY CHECKING

(CONTINUED)

U.S. Bank National Association

Account Number 1-964-7723-2991

Balance Summary

<u>Date</u>	<u>Ending Balance</u>	<u>Date</u>	<u>Ending Balance</u>	<u>Date</u>	<u>Ending Balance</u>
Aug 14	35.00	Aug 22	168.27	Sep 3	58.95
Aug 20	19.33	Aug 26	158.94	Sep 9	8.99
Aug 21	374.33				

Balances only appear for days reflecting change.